

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
**CHARGE AGAINST LABOR ORGANIZATION
OR ITS AGENTS****DO NOT WRITE IN THIS SPACE**

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| Case 19-CB-311279 | Date Filed 1-31-2023 |
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INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.**1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT**

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| a. Name Workers United, Worker Law | b. Union Representative to contact Marina Multhaup | |
| c. Address (<i>Street, city, state, and ZIP code</i>) 18 West Mercer Street, Suite 400, Seattle, WA 98119 | d. Tel. No. (206) 378-413 | e. Cell No. |
| | f. Fax No. | |
| | g. e-mail multhaup@workerlaw.com | |

h. The above-named labor organization has engaged in and is engaging in unfair labor practices within the meaning of section 8(b) and (list subsections) 8(b)(3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (*set forth a clear and concise statement of the facts constituting the alleged unfair labor practices*)
See attachment.

| | | | |
|--|----------------------------------|-------------------------------|------------------------------|
| 3. Name of Employer Starbucks Corporation | 4a. Tel. No. (312) 795-3237 | b. Cell No. (312) 480-1544 | c. Fax No. (312) 372-7880 |
| | d. e-mail ksiegel@littler.com | | |

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|---|---|
| 5. Location of plant involved (<i>street, city, state and ZIP code</i>) 2344 Eastlake Ave E, Seattle, WA 98102 | 6. Employer representative to contact Kathryn Siegel, Littler Mendelson P.C. |
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| 7. Type of establishment (<i>factory, mine, wholesaler, etc.</i>) Restaurant | 8. Identify principal product or service Food and Beverage | 9. Number of workers employed approx. 30 |
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| 10. Full name of party filing charge Starbucks Corporation |
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|--|----------------------------------|-------------------------------|------------------------------|
| 11. Address of party filing charge (<i>street, city, state and ZIP code</i>) 2344 Eastlake Ave E, Seattle, WA 98102 | 11a. Tel. No. (312) 795-3237 | b. Cell No. (312) 480-1544 | c. Fax No. (312) 372-7880 |
| | d. e-mail ksiegel@littler.com | | |

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| 12. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. _____ /s/ Kathryn E. Siegel <i>(signature of representative or person making charge)</i> _____ Kathryn E. Siegel <i>(Print/type name and title or office, if any)</i> Address <u>321 North Clark Street, Suite 1100, Chicago, IL 60654</u> Date <u>1/27/23</u> | | Tel. No. (312) 795-3237 |
| | | Cell No. (312) 480-1544 |
| | | Fax No. (312) 372-7880 |
| | | e-mail ksiegel@littler.com |

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Since on or about January 24, 2023, Workers United failed and refused to bargain collectively in good faith resulting in violations of Section 8(b)(3) of the Act. Among other things, the violations involve the following actions by Workers United and its agents:

(1) Starbucks and Workers United agreed to meet on January 24, 2023 for the purpose of engaging in negotiations regarding the Starbucks single-store bargaining unit located at 2344 Eastlake Ave. E, Seattle, WA 98102, and the parties mutually agreed that the place of bargaining would be the Courtyard by Marriott Seattle Downtown/Lake Union - 925 Westlake Ave. N,

(b) (7)(A)

The Union persisted in its insistence on virtual broadcasting of the meeting, which prevented the meeting from continuing.

(2) Workers United and/or its agents also unilaterally engaged in the recording of one or more exchanges during bargaining on October 24, 2022 without prior notice, discussion or mutual agreement, including the posting on the Internet of one or more such recorded exchanges.

(3) Workers United's unilateral arrangements and insistence on broadcasting bargaining meetings virtually to other individuals who were not present, and the unilateral recording of one or more exchanges during bargaining without prior notice, discussion or mutual agreement, constitutes a failure to bargain collectively in good faith for multiple reasons, including (among other things) the following:

(a) (b) (7)(A)


(b) (b) (7)(A)

(c) (b) (7)(A)

(d) (b) (7)(A)

; and

(e)(b) (7)(A)



(4) As stated during the January 24, 2023 bargaining meeting, Starbucks remained (and remains) ready to proceed with good faith collective bargaining in meetings conducted at the locations and times agreed upon by the parties, which was prevented by the actions and conduct by Workers United and its agents described above.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 19
915 2nd Ave Ste 2948
Seattle, WA 98174-1006

Agency Website: www.nlr.gov
Telephone: (206)220-6300
Fax: (206)220-6305



Download
NLRB
Mobile App

January 31, 2023

Richard A. Minter, Organizing Director
Workers United
22 South 22nd Street
Philadelphia, PA 19103

Re: Workers United
(Starbucks Corporation)
Case 19-CB-311279

Dear Mr. Minter:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney HELENA A. FIORIANTI whose telephone number is (206)220-6292. If this Board agent is not available, you may contact Deputy Regional Attorney BRIAN SWEENEY whose telephone number is (206)220-6327.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board

agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlrb.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. To ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster

and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Controlled Unclassified Information (CUI): This National Labor Relations Board (NLRB) proceeding may contain Controlled Unclassified Information (CUI). Subsequent information in this proceeding may also constitute CUI. National Archives and Records Administration (NARA) regulations at 32 CFR Part 2002 apply to all executive branch agencies that designate or handle information that meets the standards for CUI.

* * *

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



RONALD K. HOOKS
Regional Director

Enclosure: Copy of Charge

cc: Alyssa Garcia, Attorney
Barnard Iglitzin & Lavitt LLP
18 W Mercer St Ste 400
Seattle, WA 98119-3971

George A. Luscombe, Attorney
Dowd, Bloch, Bennett, Cervone,
Auerbach & Yokich
8 S Michigan Ave., 19th Floor
Chicago, IL 60603

Dmitri Iglitzin, Attorney
Barnard Iglitzin & Lavitt LLP
18 W Mercer St Ste 400
Seattle, WA 98119-3971

Marina Multhaup, Attorney
Barnard Iglitzin & Lavitt LLP
18 W Mercer St Ste 400
Seattle, WA 98119-3971

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

**WORKERS UNITED (STARBUCKS
CORPORATION)**

Charged Party

and

STARBUCKS CORPORATION

Charging Party

Case 19-CB-311279

AFFIDAVIT OF SERVICE OF CHARGE AGAINST LABOR ORGANIZATION

I, the undersigned employee of the National Labor Relations Board, state under oath that on January 31, 2023, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Richard A. Minter, Organizing Director
Workers United
22 South 22nd Street
Philadelphia, PA 19103

George A. Luscombe III, Attorney
Dowd, Bloch, Bennett, Cervone, Auerbach &
Yokich
8 S Michigan Ave., 19th Floor
Chicago, IL 60603

Alyssa Garcia, Attorney
Barnard Iglitzin & Lavitt LLP
18 W Mercer St Ste 400
Seattle, WA 98119-3971

Marina Multhaup, Attorney
Barnard Iglitzin & Lavitt LLP
18 W Mercer St Ste 400
Seattle, WA 98119-3971

Dmitri Iglitzin, Attorney
Barnard Iglitzin & Lavitt LLP
18 W Mercer St Ste 400
Seattle, WA 98119-3971

January 31, 2023

Date

Dennis Snook, Designated Agent of NLRB

Name

Dennis Snook

Signature